

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Case No. 23-cr-20098

Plaintiff,

F. Kay Behm

v.

United States District Judge

TROY L. LYLE,

Defendant.

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ORDER STRIKING REPRESENTED DEFENDANT’S MOTION (ECF No. 36)

Before the court is Defendant Troy L. Lyle’s “Motion to Dismissal [sic] Violation of Speedy Trial Act in Pursuant to U.S.C. 3161 & 3162.” (ECF No. 36). Defendant is currently represented by counsel¹ and, accordingly, his counsel must file any motions on his behalf. *See e.g., United States v. Hamilton*, 2018 WL 10075601, at *1 (E.D. Mich. Jan. 11, 2018) (“It is well-established law in the Sixth Circuit that a criminal defendant cannot proceed with hybrid representation, whereby he asserts both the right to proceed pro se and the right to counsel – he must choose one or the other.”). As part of the latitude accorded to district courts to manage their own dockets, courts may bar filings submitted by an

¹ Attorney Kimberly W. Stout has been representing Defendant since May 5, 2023. (See Text-Only Notice of CJA Attorney Appointment, May 5, 2023).

individual when that individual is represented by counsel. *See United States v. Agofsky*, 20 F.3d 866, 872 (8th Cir. 1994) (finding no error in the court's refusal to consider pro se motion where defendant was represented by counsel.). Defendant's counsel has **seven days** in which to indicate on the docket whether she is adopting this request. If counsel does not adopt the request, it will be stricken from the record as improvidently filed.

SO ORDERED.

Date: March 6, 2024

s/ F. Kay Behm
F. Kay Behm
United States District Judge